

# MAINE FARMER

## AND JOURNAL OF THE USEFUL ARTS.

BY WILLIAM NOYES & CO.]

"Our Home, Our Country, and Our Brother Man."

[E. HOLMES, Editor.]

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### The Maine Farmer

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### THE FARMER.

WINTHROP, FRIDAY MORNING, NOV. 13, 1835.

### Chemistry for Farmers.—No. 2.

#### ATTRACTION, OR AFFINITY.

The question very naturally arises to an enquiring mind, why is it that one body unites itself with another? This question cannot be answered in its strictest sense. There is a power which causes some bodies to unite and become one common mass; while other bodies will not unite at all. If we put some common salt or some sugar in water, a union takes place. The salt or sugar begins to disappear, and finally is lost in the fluid and rendered transparent and liquid. This power which brings the two substances together is called *attraction or affinity*. We do not know what it is and can judge of it only by its effects.

The sugar and water, and the salt and water are said to have an affinity for each other. Different substances have a stronger affinity for each other than they have for others, which is clearly proved by some very simple experiments—for instance,—If you take a piece of Camphor and put it into some spirit, it will disappear in the fluid, and become a liquid. It is then said to be *dissolved*, and the liquid is called a *solution* of Camphor. The spirit is said to have an affinity for the camphor, but it has a stronger affinity for some other things than it has for the Camphor, and if any of these other things be put into it, the Camphor will be let loose and again appear in the shape of a white Gummy substance, or in a powdery form. One of these things is water. Pour some water into a solution of Camphor, the spirit and water will unite and the Camphor not having any affinity for water will be instantly separated. This separation, as the substance is most generally thrown down, is called *precipitation*, and the substance thrown down is said to be precipitated. The fact of different substances having different degrees of affinity for each other is one of great importance; and it is by taking advantage of these different attractive powers or the different *affinities* that all the combinations and separations of the ingredients which are used in manufacturing substances of any kind, are produced. By a knowledge of these the Chemist is enabled to perform all his operations; and to change and rechange the materials upon which he is experimenting. Converting a substance from a solid into a liquid, and again from a liquid into a solid. By these affinities a piece of marble, or which is the same thing, Limestone that is so hard as to withstand the winds and storms of ages,

may be changed in a short time into a liquid and drank up if you wish, or after having been changed to a liquid, can be reconverted into limestone again. To effect this, the following process may be followed: take a small piece of marble or limestone or a piece of Chalk, all three of them being made of the same materials, but are not of the same hardness. Put it into a strong fire—something is driven off—what that something is, can be better explained by and by. It is then what is called quick-lime or caustic lime. Put this into water and it will be dissolved, or changed to a liquid which may be, and often is, drank. In order to obtain it from a liquid state, take a little common potash or pearlash or saleratus, dissolve it in water and pour it or mingle it with the lime water; presently a white powder will fall to the bottom of the liquor, which is the same in substance as the limestone or chalk was before you put it into the fire. It can no longer be dissolved in water, and would probably in time, become as solid as before.

A board nail may be used to day, to hang your hat upon, or fasten a board, and to morrow flowing from the point of your pen on paper, thereby expressing your thoughts to a friend. This may be done as follows. Put the nail into a little Sulphuric acid, (which is also called Oil of Vitriol) say a wine-glass full; to this add four wine-glasses of water, if the acid be strong. The nail will be dissolved—boil this liquor away and a solid substance remains, which is often called *Copperas*. Dissolve this again in water. Then take some Oak bark, or Maple bark, or Log wood, or Nut galls—no matter which, and boil them until you have a pretty strong liquor, add this to your copperas or *nail water*, and a black colored fluid is obtained, to this add sugar or gum Arabic to make it a little thick, and boil it down till black enough to suit you. In plain English you will have played the Chemist with your nail, until you have made *ink* of it.

Sometimes two substances have no affinity or tendency to unite until a third is presented which acts as a sort of mediator or binder between them. Oil and water you know will not unite—shake them together, and they will again separate as soon as the agitation has ceased, but drop in a little caustic potash, or ley made from good ashes, and they come together very quick and form soap. These three will keep up their union as long as the potash is with them, but take this away by any means and the oil and water will dissolve partnerships and keep separate as before. This may be done by carefully dropping in a little Sulphuric acid if you have any at hand. By degrees the potash will quit the oil and water and combine or unite with the acid, while the oil will begin to swim on the top.

### Dishley and South Down Sheep.

The farmers of Maine have it now in their power to make their flocks into any shape or grade they please, whether for mutton, for fine wool, or for both. We have now in our neighborhood full blood Dishley—full blood South Downs—full blood Merino, and full blood Saxony. By mistake, we omitted in our Report on Sheep a notice of Mr. Vaugh-

an's full blood Dishley's, which he exhibited at the last Show, and we would turn the attention of those farmers who are engaged in the business of improving and altering the shape of their flocks to them. They were all, except one, purchased of E. Silsby, Esq. of West Bradford, who obtained them from some of the best flocks in England. They are the true Dishley blood, presenting the peculiar form of that breed. Mr. Vaughan is sedulously engaged in crossing them with his South Downs, &c. and we doubt not, should his life be spared, will finally produce a breed which will combine such properties as will be of great service in many branches of this profitable business.

In regard to his South Downs, Mr. Vaughan in his statement to the Committee says, "The two Bucks and five Ewes of this breed were shipped at London 17th of Oct. 1834, and arrived 23d of January 1835 at my farm in Hallowell in excellent order, though confined on board of the vessel over 3 months, being 40 days of this time exposed to severe weather in the passage from Boston to Bath!"

These Sheep take their name from their origin being bred on the South Downs in the County of Suffolk, England.

The original breed were very remarkable for good constitutions, possessing those points which constitute a perfect shape, and were valued more for their mutton than the fineness and quantity of their wool.

The value of it was such in public opinion, that they were introduced into other counties, more particularly into the County of Norfolk, from whence I obtained the two Bucks and three of the Ewes—the other two were bought at Lewes in the neighborhood of the Downs. The flock of seven, imported by me are of the pure blood, but much improved by extra care and keep.

The original breed gave about 2 1-2 lbs. of wool on the average, and the 4 quarters weighed 72 lbs. The improved breed gives 4 1-2 lbs. of wool, and their 4 quarters weigh from 80 to 120 lbs. The breed is in high estimation, not only for its mutton but disposition to fatten easily, and the fat is mixed with the flesh, rendering it what is called "marbled." It is also well known that they occupy in England one of the most exposed and least fertile parts of the Island, that their mutton is of the finest kind, and commands the highest price, although from the properties of the Sheep it can be produced at least cost. When well kept, they produce twins in proportion to one third of the flock, which when dropped, are covered with wool.

Mr. Green stated before the Committee in regard to his Dishleys, that he kept but few Sheep, and those of the Dishley breed. He began with a Buck and three Ewes, from which the first season he sheared 26 1-2 lbs. of wool after washing. Last year he sheared from 7 sheep 42 lbs. two of these were yearlings which produced 8 lbs. each—they were not washed before being sheared.

CONTENTS OF THE HORTICULTURAL REGISTER, AND GARDENER'S MAGAZINE.—I. On the Choice and Cultivation of the Melon. II. Horticultural



Pursuits. III. On Horticultural Architecture. IV. Letter to the Editors of the Horticultural Register. V. Selection of Flowers for the Pleasure Garden. VI. Extracts from Foreign Publications. VII. Improvements in Domestic Horticulture. VIII. Miscellaneous Articles. IX. Gardener's Work for November. X. Massachusetts Horticultural Society.

CONTENTS OF THE AMERICAN GARDENER'S MAGAZINE. I. On the Construction of Brick Pits for early Forcing; to which is added the Cultivation and Forcing of the Cucumber; taken from Horticultural Memoranda, and exhibiting the state of their Progress from January until September. By the Conductors. II. The Influence of Flowers. III. On the Cultivation of the Tulip. IV. Beautiful Plants growing wild in the Vicinity of Boston. V. On the Cultivation of Hyacinths in Glasses and Pots. VI. Notices of new and beautiful Plants figured in the London Floricultural and Botanical Magazines; with some account of those which it would be desirable to introduce into our Gardens. VII. Reviews. VIII. Miscellaneous Intelligence.

### Portland Magazine.

The first and second numbers of vol. 2d have been received, and we are happy to find that the Publisher and Editor find encouragement sufficient to warrant a continuance, although from what we hear, it is not so well sustained as it should be, and as it richly deserves to be. Indeed, the City of Portland itself ought in justice to give it a larger list than it now has in all. Surely the good people of that city must be blind, not only to their own individual satisfaction in a literary point of view, but also to their reputation as friends and patrons to the literary merit of their own citizens, thus to let a periodical which bids fair to shed so much honor, not only upon them, but upon the State, merely exist. They should give it a generous support, and thus enable it to increase in strength and interest as it increases in years. And as it regards our own village, we can only say, that we grieve that they should let the goodly town of Readfield go beyond them in their subscription to the same work. A word in your ear people of Winthrop;—Does or does not the town of Readfield outstrip you in her support of schools, science and literature?

### Brooks' Letters.

We intended to have published these letters in course, but they come so thick and fast that we are not able to do it without crowding out matter more immediately interesting to our readers. They will excuse us, we hope, if we only give them those which may seem to us to be most interesting without regard to dates or number.

### Cattle Show and Fair

Of the Kennebec County Agricultural Society, held in Winthrop, on Wednesday and Thursday the 14th and 15th of October, 1835.

#### REPORT ON BUTTER, CHEESE, &c.

The Committee appointed by the Kennebec Co. Agricultural Society to award premiums on Butter, Cheese, and other articles, Report:—

*On Butter*—That it has awarded the first premium to John E. Snell of Winthrop—second do. to Leavitt Lothrop of Leeds—third do. to Turner Curtis of Monmouth.

It is with pleasure the Committee state that the flavor was good, and the butter milk well worked out of 25 specimens in the 29 offered for premium. Some was over salted, some not sufficiently salted, and in a very few instances the salt was not of a

proper kind. The improvement of the article has been very great this year. Only 8 specimens were offered last year, and the best was not to be compared with those of this year.

*On Cheese*—That the first premium be given to Mrs. Eben'r Shaw of Winthrop—second do. to John Gilmore of Leeds—third do. to Isaac Dexter of Wayne.

The Committee were of opinion that nine out of the eleven specimens offered were of a good quality and well pressed, but were not equal to the best cheeses made in Connecticut, Massachusetts and Vermont. There is a richness and mellowness in the best of cheeses which give to them a superior quality—and this is best secured by making the cheese from *new milk* and a judicious use of the rennet. At present our cheeses in general are deficient in the above qualities, but the Committee feel encouraged that in another year an equal improvement may be made in this article that has been made this year on the butter of the last. Our State abounds with good pasture land, and our farmers have intelligence to turn to profit the experience of others; and the Committee are of opinion that the best mode to effect so desirable a change is for NEHEMIAH PIERCE, Esq. of Monmouth, and others who have been successful in making the best cheeses, to make known their process through the Maine Farmer, and there is little doubt that other persons friendly to our improvement in agricultural products, would endeavor to furnish the practice in making the best English cheese, and procure information of the practice in the States before named.

*On Silk*—The Committee awarded the premiums on the three specimens offered of raw silk, silk thread and silk stockings, presented by Mr. Alfred Chaudler of Winthrop. The Committee recommend greater attention to the culture of the mulberry tree, and rearing of the Silk worm. The success in Northampton, Mass. and in Connecticut is truly encouraging, and the kind of labor employed will increase the value of income, and without taking the labor from other objects of profit.

*On Churns, Cheese Presses and Bedsteads*, no premiums were awarded. The mechanical power applied to the two former, was well calculated to save labor where *great labor is needed*; but your Committee, acting on the principle that the simplest machine that would produce the effect wanted, was the one to be selected for the use of the farmer, and particularly the farmers of Maine, whose Dairies are limited, and need not the use of expensive power; and it may be noticed that the simplest machines are kept in order with the least expense; and the Committee were of the opinion for the above reason, the machines already in use were to be preferred to the complex ones offered, viz: Amasa W. Hall's Churn and Scripture's Dairy Press,—and they were of the opinion that the Bedstead offered for premium by Mr James Curtis, was of not sufficient improvement on those in use.

*Calf Skins*—The Committee awarded the first premium to Mr. Elias M. Clark—second do. to Mr. John A. Tinkham.

Your Committee close their Report with a notice of Mrs. Sanford Howard's mode of managing the milk, and making and curing her Butter, a specimen of which was offered for the premium. It is due to Mrs. Howard to state, that it was difficult for the Committee to decide which, of the 7 specimens selected out of 29, was entitled to the premium, and though the premium was not awarded to Mrs. Howard, she is entitled to credit for the only statement of the management in making her butter,

and which from the knowledge of the Chairman of the Committee, has been attended with success, and preserved until Spring the flavor of the butter. It is therefore suggested by the Committee that her communication should be made public for the benefit of others. The Committee would here notice that in butter and cheese *every specimen* ought to be accompanied with the mode of making, as without this, all the Committee or the public can know is, that the butter and cheese is good, but without the means of improvement by others.

*To the Committee on Butter, &c.* In making the butter offered for the Society's premium, by Mrs. Sanford Howard, the following rules were strictly observed.

1st. Particular attention to cleanliness.

2d. To churn the cream while perfectly sweet.

3d. Care that the cream should not be too warm while churning, and after separating the butter from the butter-milk, to every pound of fresh butter, 1 oz. of (sifted) blown Liverpool salt was added.

Great care is requisite to extract every particle of butter-milk and other moisture from the butter, in order to keep it fit for use any considerable length of time. It has been proved by experiment, that butter made in this way and packed in firkins prepared in the manner of the one before you, will keep perfectly sweet for six or eight months without a particle of saltpetre or more than the above named quantity of salt. If Saltpetre is added it should be done in the proportion of 1-4 oz. to a pound of butter, and 1-4 oz. more of salt should be added.

The firkin was prepared in the following manner. After soaking it thoroughly in brine, it was lined with old cotton cloth dipped in clear melted bees-wax—thus rendering it perfectly impervious to the air. A little butter rubbed on the inside of the cloth with the hand and a little salt sprinkled on to prevent the butter from imbibing any taste of the wax.

Respectfully submitted,

CHARLES VAUGHAN, Chairman.

### REPORT ON FARMING UTENSILS.

The Committee on Farming Utensils have attended to the duty assigned them, and submit the following Report:—

We were first summoned to examine the Cultivators. Four entries were made; those presented by Joel White, Jr., Wadsworth Foster, and George Sampson, were nearly alike excepting that part by which the horse is attached to the Machine, on some we thought it was too high, rendering them much inclined to go too deep. The one presented by Walter Haines, was altogether a different article, it was made so as to cut the Weeds between the rows, below the surface of the ground with a harrow attached to the rear, in such a manner that it could rise or fall at liberty.

We are of opinion had there been two premiums on Cultivators, and smaller, the effect would have been much better. We award the offered premium on Cultivator to Wadsworth Foster.

The next article we were called upon to examine was a Roller. It belonged to Mr. Nathan Foster of Winthrop—it was the only one exhibited, and we were highly pleased with its appearance. It was made upon a pair of low wheels, being much larger in diameter than usually made, which we think of great utility; we therefore recommend it to the Society's premium.

One entry only was made on Drill Machine for sowing small seeds. We were not able to find the machine at the time of examination of the other ar-



ticles. It was placed in the Meeting-house so that we did not see it until after we separated; some of the Committee examined it on the second day, and pronounce it, in their opinion, a valuable machine, and would have taken the premium had it been found at the time of examination; and we would suggest to the Trustees the propriety of paying to Mr. Sanford Howard of Hallowell, the offered premium, as we consider him justly entitled to it, (if not incompatible with the rules and regulations of the Society.)

There were three entries on Ploughs for premium, besides several for exhibition. We noticed one with a double mould board which is deserving of credit. We also examined another with but one mould board, that could be turned upon the opposite side with ease, for the purpose of ploughing upon a side hill or uneven land, which we think superior to the other, and will prove a valuable article to the farmer. Mr. Wadsworth Foster's Seed Plough was one of Hitchcock's Cast Iron patent Ploughs, which we think entitled to the premium. Mr. Walter Haines' breaking up Plough was of the same form, being of more length of bottom than the Cast Iron Ploughs formerly were, which we think is an improvement. It is deserving of a premium.

Four entries were made on Horse Powers for thrashing grain and other purposes, all of which appeared well, and will prove valuable machines to the farmer and the mechanic. Some appeared more expensive than others—the prices of the machines were stated from 90 to 40 dollars each. It should be an object to obtain the best machine with the least expense. We were favorably impressed with No. 4, and think it entitled to the premium. This Horse Power belonged to Mr. Webber Furbush of Hallowell. The reasons we assign for giving this the preference are cheapness and durability. He stated the cost of his Horse Power at \$40.

One entry only was made on Ox Cart, belonging to Mr. Lloyd Thomas of Winthrop, which we think justly entitled to the offered reward.

Two entries were made on Ox Yokes, which appeared well. We considered Mr. Pliny Harris' preferable to the other, and worthy of the premium.

Messrs. Ezra Fisk and Joseph C. Greene entered for exhibition only, a new wagon which is deserving of notice, and in our opinion of encouragement. All of which is respectfully submitted.

JOHN FAIRBANKS, per order.

*For the Maine Farmer.*

### Premium Horse Power.

MR. HOLMES:—Permit me, through the medium of your paper, to offer a few remarks on Horse Powers, touching the machine to which the premium was awarded at the late Cattle Show and Fair in Winthrop. The object of the Kennebec Agricultural Society in offering a reward for the best Horse Power, was, no doubt, to elicit an exhibition of several machines at the Fair, where they might be examined by a competent Committee, to decide which of them is best adapted to the use of the farmer and mechanic in propelling their thrashers, lathes, &c. To the opinion of this Committee the people will naturally look as a safe guide for them to follow, should they feel disposed to purchase for their own use. In presenting my remarks, I would gladly avoid any allusion to the Committee on Horse Powers, knowing it to be an unenviable and perplexing duty which they had to perform. But justice requires that I should say, there was not a full examination of the Horse Powers which were entered for a premium. Perhaps it might not have

varied the result of their judgment—but then every machine ought to have been entitled to a fair examination. The machine to which I allude is PITTS' Two Horse Power, probably the first portable machine for 2 horses on the rotary principle ever offered to the public, that has met with general approbation. It is considered by people generally, who have seen the operation and used this machine, to be superior to any other Horse Power for thrashing or propelling machinery where more than the strength of one horse is required. The expense of making this Power will not vary much from \$65; it runs remarkably easy, and two horses will perform the work of thrashing reapt or mowed grain with ease and great despatch. This machine, sir, was put in operation on the 15th inst. at the barn of Thomas Snell, Esq. in competition with a machine invented and patented by a Mr. Furbush of Hallowell, and the same to which the Committee on Horse Powers awarded the premium, and one horse did actually thrash double the amount of straw in the same number of minutes on Pitts' two Horse Power that was performed by one horse on Furbush's premium machine, and it was generally thought by those who witnessed the exhibition of both machines, that the horse on Pitts' Power performed his work with the greatest ease. Pitts' Horse Power is also made for one horse, and it does well so far as I can learn. This was also tried in the same barn with the premium machine, and the same horse thrashed double the amount of straw on Pitts' one Horse Power that he did on Furbush's machine. The same machines were worked together on the 16th, at the barn of Mr. N. Currier, and the result was about the same as at Mr. Snell's. No doubt the Committee decided as appeared to them right, but if Mr. Furbush cannot thrash more, and get his Horse Power to run with less friction, than while he was exhibiting in Winthrop, their judgment will be but poorly required by the operation of the premium machine.

FAIR PLAY.

### To all whom it may concern.

A challenge having been given by Mr. Furbush of Hallowell, inventor and patentee of a Horse Power and Thrashing Machine; to the Messrs. Pitts' of Winthrop, inventors and patentees of another Horse Power and Thrasher; to meet at the barn of Mr. Noah Currier, on the 16th of October, 1835, in order to test the powers of their respective machines—We, the undersigned, being invited to attend to witness the results of said trial, and give an impartial testimony of the same, hereby certify that the Messrs. Pitts' did, in the same time, actually and fairly thrash twice the number of bundles of the same kind of grain, carefully selected by disinterested persons,—thereby beating said Furbush two to one.

N. B. The machines used, were one Horse Powers, and each horse worked well.

EZEKIEL HOLMES,  
LUTHER WHITMAN,  
THOMAS SNELL,  
DANIEL GALE,  
NATHAN STEVENS,  
ISAAC N. BONNEY,  
JOSEPH STEVENS.

Winthrop. Oct. 16, 1835.

*For the Maine Farmer.*

### Flax—Flax.

MR. HOLMES:—It is strange that the cultivation of this useful and profitable crop should be so much neglected in this County, and even through the State of Maine. Perhaps there is not a more pro-

fitable crop raised among us, if rightly managed, than a crop of flax; and there is no part of the U-States better adapted for flax than the State of Maine—yet there is not enough of it raised to supply our Shoemakers with shoe thread. The great objection to raising flax is generally the dislike which farmers have to dressing it out, and here lies all the mischief. Some poor worthless vagabond is employed to dress the flax, who cares for nothing but his dinner and cider, and at night perhaps would refuse to take the flax which he has dressed for his pay. To remedy this, let the farmer go about it himself, and set the boys to work at the flax brake, instead of their dashing about, dandy like, with their long whips in their hand, and their cigar in their mouths, wearing off the little remaining flesh from the old horse's bones. Most farmers have leisure time enough in the months of February and March to dress two or three hundred pounds of flax; and it makes a profitable and an agreeable employment for our families.

Now to encourage the raising of flax among us, let the Trustees of the Agricultural Society offer a handsome premium to those who shall raise the most flax seed—and premiums to those persons which shall manufacture the best piece of linen shirting, sheeting, table linen, diaper and thread, shoe thread, &c. I have written this at this season that farmers may select their ground for flax this fall and plough it, as it is essential that flax ground should be made as light and fine as possible. Try one crop.

O.  
Monmouth, Oct. 29, 1835.

*From the Yankee Farmer.*

### Cleaning Cucumber Seeds.

Let the seed cucumbers become fully ripe; if some of them are rather hard when they are gathered, let them remain on a board exposed to the sun; this will ripen the seeds and they may be cleaned more easily. Cut the cucumbers into two parts lengthwise and take out the seeds and let them ferment several days; this will cause them to separate more readily from the matter that adheres to them—the seeds will not be injured by fermenting a few days as they will not vegetate in the liquid matter in which they grew.—When they are prepared by fermentation, or without fermentation, if you please, they should be rubbed thoroughly between the hands in order that the mucilage may be separated from the seeds by washing; then to a few quarts of seeds and matter mixed with them add several pailfuls of water, and if water enough be added to dilute the mucilage it will rise and so will the worthless seeds if any there be, which may be turned off as the good seeds will settle to the bottom;—rub the seeds and wash them again, and so continue until they are perfectly clean; then dry them. Seeds that are cleaned in this manner will vegetate much sooner than those that remain in the cucumbers until they are dry as in that case the mucilage will adhere to the seeds and retard their vegetation when put into the earth, as by a wise provision of nature they will not vegetate in the matter in which they grew; this prevents their sprouting after they become ripe, though they are in a liquid substance and exposed to warmth. It is much less trouble to clean seeds by washing, than to separate them from dry cucumbers. We have washed out more than half a bushel of seeds in a day.

At the late term of the Supreme Court, held at Plymouth, a case was under consideration which has caused some local interest. It was an action of the Rev. Luther Sheldon, of Easton, against the congregational Society of that town, for his salary. The society contends that he has been regularly dismissed. Mr. Sheldon insists of course that the proceedings of the society have been irregular. The principal reason for his dismissal was his refusal to exchange with the 'neighboring Congregational Ministers.' The sufficiency of this reason will be decided by the Court.—*New Bedford Gazette.*



## Report.

The Joint Select Committee to whom was referred the Memorial from the Vassalboro' Quarterly Meeting of Friends, together with other Memorials and Petitions praying for the abolition of Capital Punishment, have had the same under consideration and ask leave to submit the following

## REPORT.

The papers aforesaid relate to a subject of deep interest to the community, and one to which the public attention has been for some time forcibly drawn. They propose a change in our penal code no less than the total abolition of capital punishment in all cases.

If Capital Punishment can be laid aside consistently with the safety of Society and our duties and obligations as a Christian Community—humanity would seem to require that it should be. There is something so shocking, so awful, so forbidding in the idea of deliberately taking human life, that nothing but absolute necessity can give it any color of justification. The enquiry then is, does this necessity exist? Formerly there was but one response to this enquiry. All agreed that it did exist.—It was necessary to take life, not only for the more atrocious crimes of murder, and treason, and arson, and the like; but also for offences of much lower grade descending sometimes even to simple larceny. By the laws of Draco, all crimes were punishable by death. The English Statutes affix the same penalty to no less than one hundred and sixty different offences. France, in the revolutionary period of her history, presents the most shocking spectacle of human butchery under a sanguinary code of laws.—Suspicion fixed the guilt, and the guilt was death. Vengeance has been dealt out with a liberal hand by the government, under the belief that the peace and safety of the Community demanded it. Governments have assumed to possess the indubitable right of punishing crime at pleasure, little regarding the line where justice ends and cruelty commences. Laws have been dictated rather by a spirit of revenge than from feelings of justice and humanity. Such at least has too often been the case. But the spirit of enquiry is abroad, and the right and the necessity of these severe measures are called in question. Public opinion seems fast travelling towards the point that forbids capital punishment altogether. But yet there is a portion of our citizens, how large a portion we know not—who meet us with the objection that capital punishment is an institution of divine appointment—always binding and never to be dispensed with. Respect for those who urge this objection, as well as veneration for the high authority they refer to, demand of us an attentive and scrutinizing investigation of the grounds on which it rests: because, if well founded, it forever puts at rest all enquiry in regard to the expediency of a change, so far at least, as the crime of murder is concerned. The text referred to, is in the ninth chapter of Genesis—'Whoso sheddeth man's blood, by man shall his blood be shed.'—This text is a part of the revelation of God to Noah and his sons on leaving the Ark, and stands connected with liberty granted to man to make use of animal flesh for food, having before been restricted to the use of herbs and fruits.—'And the fear of you and the dread of you shall be upon every beast of the earth, and upon every fowl of the air.'—'Every moving thing that liveth shall be meat for you.'—'And surely your blood of your lives will I require—at the hand of every beast will I require it.' It may admit of doubt, whether the text in question should be considered as a command or a declaration having a prophetic view. It might well be paralleled by a passage in Matthew—'For all they that take the sword shall perish by the sword.'—But considered in the form of a command, it may still be doubtful whether it refers to human murderers, or to beasts that might ferociously destroy the life of a man. Those conversant with the Hebrew tell us that the passage in the original decides nothing. An ellipsis is to be supplied—and the word *whatever* referring to *beast*, might as well be supplied, as *whoso* referring to *man*. It is the opinion of many that it does refer to beasts, and accords with the provisions afterwards made in the Mosaic law, that the beast which should gore a man that he died, should be stoned and his flesh not eaten. If these considerations throw a doubt upon the meaning of the passage, we may well hesitate before we adopt the belief of a divine injunction, from which there

can be no release. But admitting its applicability to human actions, it may yet be questionable whether it be binding at the present time; and if so, to what extent. We are aware that such as consider it binding, will generally answer that it may be dispensed with in all cases except murder. But where is the authority for such an assertion? It certainly is not derived from the language of the text—'Whoso sheddeth man's blood'—no exceptions, no circumstances or conditions are named.—But 'whoso sheddeth man's blood,' whether of malice premeditated, or by accident, or necessarily in self-defence—'by man shall his blood be shed.' All the different species of homicide are reduced to a level, and one tremendous doom, without the possibility of reprieve, is denounced against the whole. Nor can the public executioner claim redemption. Blood must succeed blood till the last man finds none to destroy him. Now this is evidently claiming too much for the text, but who shall limit it? Who is authorized to narrow it down to one particular set of circumstances? It is sometimes said that the cities of refuge appointed many centuries afterwards, indicate the extent to which it should be understood to apply. But this would not remove the difficulty. Our laws already exempt from death, those guilty of manslaughter, and no one complains—no one pretends that we are violating a divine command by the exemption. And yet the cities of refuge afforded no protection to crimes of this sort except in its lowest degrees. Those guilty of the higher species of man-slaughter should surely be put to death, and could not claim the privileges of these cities. From the promulgation of the text in Genesis, to the adoption of the Judicial code at Sinai, was about eight hundred and sixty years. During this period we read of three cases of killing among the Hebrews, all of which would be murder by our laws—and yet in neither case was the penalty of death inflicted. May it not be then, that the text in question, though it might be well understood by those to whom it was spoken, is of very doubtful meaning with us at this distant day?

The Jewish nation for a long period enjoyed the peculiar privilege of living under a Theocracy. God himself condescended to be their law-giver, and to direct their movements. At the foot of Sinai in the wilderness they received by the hand of Moses not only the Decalogue, and the ceremonial law, but a full and complete Judicial code. This code was written out by Moses—read to the people and adopted. Here there was established a system of rules for the regulation of Society and for the direction of the Magistrate—a system broad and extensive, and particularly full in the criminal part of it. The penalty of death was denounced against quite a variety of human actions. Not only killing a person was death; but if a man smote his father or mother without killing, or even cursed them, he should surely be put to death.—Adultery, Witchcraft, Sabbath breaking and Idolatry, were punished with death. If one enticed another to forsake the Lord and turn to the worship of Idols—though it were a brother or a son, a daughter or a wife—the command was 'thou shalt surely kill him.'—'Thy hand shall be first upon him to put him to death.' Now is it reasonable to suppose that after the adoption of this code, the Jewish magistrate could travel out of the compass of these Statutes and inflict penalties by virtue of the text in Genesis? If not, then that law, if it be called a law, was virtually repealed by the adoption of this new code. It was hence no longer binding on the Jews and cannot be obligatory on us.

But it is said by some, that the obligation descends to us from the Mosaic code, which required life for life, in accordance with the text in Genesis. But if any part of the Judicial code of the Jews is binding on us, it may be difficult to say what part is not binding. This law was suited to the character and condition of that peculiar people: but it has not been understood that its requirements were to descend to people in Gospel time. Governments are at liberty to make their own laws and fix their own penalties, not inconsistent with the great principles of the moral law. Were it otherwise, there would be no alternative but to adopt the Judicial code of the Jews entire, without addition or retrenchment.

But another text is quoted in Romans as pointing to the text in Genesis, adopting its principles into the Christian system—'The magistrate beareth not the sword in vain'—'He is a revenger to execute wrath upon him that doeth evil.' Hence it is inferred that the Sovereignty of the State, is always

bound to punish some offences capitally. It may be well to glance at the context a moment, in order to show the danger of fastening upon a particular insulted passage, and insisting upon its yielding an authority which it might never be designed to do. 'Let every soul be subject to the higher powers—for there is no power but of God.—The powers that be are ordained of God.—Whosoever therefore resisteth the power, resisteth the ordinances of God, and they that resist shall receive to themselves damnation.' Now the text, rightly considered, conveys important instruction, and guides the citizen in his duties towards the Government under which he lives. But suppose we insist upon all that its language, in an unqualified sense, would seem to import. Our fathers resisted the powers of the Mother Country. Have they all received to themselves damnation for that act? We cannot venture upon a conclusion so rash, yet it would most irresistibly follow.—Again, Rulers are not a terror to good works, but to evil—do that which is good and thou shalt have praise of the same. Now was the promulgation of the Gospel in the Roman Empire, a good work or an evil work? And did it meet the cordial approbation of Nero, and have his praise, or did he not rather put on all his terrors against it, and endeavor to crush it under foot? The danger, again, is most awfully exemplified in the history of the Romish Church. A pertinacious adherence to the supposed authority of a few particular texts, has led them to spill much innocent blood. The history of that Church is the history of cruelties and oppressions, at the view of which, humanity recoils and the blood chills in our veins. But all this, in their opinion, is only carrying out, and accomplishing the will of God as expressed in the Scriptures. It is for the extirpation of heresy, and the punishment of evil doers. Thus thousands and thousands have fallen victims to a mistaken zeal for the honor of God's law, which is supposed to speak imperatively that all heretics should be cut off. Not men only, but women and even children have been brought to feel the excruciating tortures of the stake and been consumed by the devouring element—whole cities of peaceable, unoffending inhabitants have been inhumanly butchered—all the horrors and tortures of the inquisition, have been designed and inflicted under shelter of the same high authority. Nor are the Catholics alone chargeable with these errors and delusions—Protestant history is stained with errors of the same character, though different in degree. Even our puritan fathers, to whom we are so deeply indebted for the valuable religious and political institutions we enjoy, could argue themselves into the belief that the Scriptures enjoined it upon them as a duty to extirpate heresy, by taking the life of the heretic. Thus were the meek, the humble, the unoffending followers of George Fox, and in one or more instances, a Female too, suspended between the heavens and the earth for preaching another Gospel among them. Now, in all these cases, both among the Catholics and the Protestants, the behest of Heaven was pointed to as the authority under which they acted.—But do not these examples admonish us to beware how we spill human blood under the supposition of divine injunction? They most certainly do.

The art of Printing has been the means of diffusing much light—light is still increasing. Science and Philosophy have felt its renovating influence—Christianity, too, has been disencumbered of many errors heaped upon it by human hands, and is exhibiting itself in its native excellence and beauty. It holds forth mildness, gentleness, benevolence and good will, and frowns upon every thing harsh and revengeful. As light has advanced, many opinions venerable for antiquity, and of supposed unquestionable soundness, both in philosophy and religion, have been swept away—and we cannot but indulge the belief that ere long the doctrine of a divine command for the infliction of Capital Punishment, will find little favor in the eyes of this people.

But there is another class of our citizens, certainly very respectable, both in point of numbers and moral worth, who believe that in no case can human life be intentionally taken by human hands, without violence to the true spirit and intent of the religion of Christ. Some of the Memorialists are of this class—they believe that Government can derive no authority, either from Scripture or from any other source, which will justify the infliction of such a penalty. The right to punish capitally has generally been considered a necessary consequence of the formation of Society. The man who



unites with Society and becomes a member of the body politic, yields up a portion of his natural rights for the security of others, more dear to him, and hence it is inferred, that he gives to the sovereignty the right, in certain cases, to take his life. But it may be difficult to conceive how a man can be supposed to have yielded up what he never possessed. Life is the immediate gift of the Creator, inherent by birth in every individual. But does the individual possess the right of disposing of that gift? If so, he must necessarily be judge of the time and manner of such disposal, and hence suicide is no longer a crime. We may turn our eyes with complacency to the ancient examples of self destruction and view in them only that unyielding virtue and heroic courage which drew forth such admiration among the Greeks and Romans. Again, they say, a man cannot be supposed to have given up this right, on the supposition that he EVER POSSESSED IT: because it would be impossible he should receive an equivalent. He might yield the power to regulate, not to destroy his life.

But the spirit of the Gospel, it is said, forbids capital punishment. Christ did not condemn the adulteress, though the Mosaic law hung with all its penalty over her head. The language of the law was (and that law was given by God himself) *the adulteress shall surely be put to death*. Nothing could be stronger than this language—and yet she was pardoned. Gospel light was then breaking upon the world, and those laws that were given *'because of the hardness of men's hearts'* were to vanish away. It was the work of the Messiah to establish a spiritual Kingdom, and in that Kingdom the swords should be beat into plough-shares and the spears into pruning hooks.—'The lion and the lamb should lie down together,' and none should hurt or destroy in all the holy mountain. In accordance with this, Christ says, resist not evil—love your enemies—bless them that curse you—do good to them that despitefully use you and persecute you. And again, I came not to destroy men's lives but to save them. It is said that Dr. Rush, with his finger upon this passage, exclaimed, that though an Angel should declare it, he could not be persuaded that capital punishments were authorized by Scripture.

Having now glanced at the different views taken of the subject by two different classes of our citizens, we will pass to the question of expediency. And here a wide field is opened, and room for much conflicting opinion.

The advocates of capital punishment have but a single argument which appears to us deserving of much consideration. It is this, that Capital Punishment is more effectual than any other in the prevention of crime. Whether this be true or not, it is certainly very natural that we should fall into the belief. From childhood, we have seen the law upon our Statute books. Our fathers have told us, when we could but lip the enquiry why a man was hanged, that it was necessary and right. History has shown us the belief and the practice of other Governments, and the laws of our mother country, from which we derived our own, are ample in these sanguinary provisions. The opinion has grown with our growth and strengthened with our strength. Coming into our minds by the force of education, we nourish it and cherish it, and array all our prejudices against any attempt to examine the foundation on which it rests. Reluctantly indeed, do those prejudices yield which were early imbibed, and have been long cherished. If we speak of the substitution of some other punishment for that of death, we are met by those who start from the idea, as if the ruin of Society would be the consequence. They picture before our eyes the fell murderer with his weapons of death, and then ask if we would remove the only barrier between the bosom of innocence and the steel of the assassin? Every heart responds in the negative. But this does not establish the position that capital punishment is more efficacious than other punishments. The first emotion excited in the breast by these strong appeals and high wrought representations, is that of revenge. This passion springs up involuntarily; and without stopping to think, we denounce the vengeance of death upon the head of the guilty. But a little reflection will show, that while under the influence of this feeling, we shall not be likely to come to a fair decision. The question is not, whether we shall remove the barrier, and give the murderer full scope, but what sort of barrier will be most effectual for our protection. It was once thought and is still believed among some

Nations, that the greater the tortures inflicted upon the criminal, the more effectually would others be deterred. Hence the rack, the knot, the practice of slowly sawing off the head, of nailing iron shoes upon the feet before execution, of roasting by a slow fire, tearing the flesh with hot pincers, drawing in quarters, and many other modes at which humanity shudders, and from which we turn with abhorrence. But did these cruelties accomplish the desired object? Far from it—they contributed largely, it is believed, to the formation of that savage and atrocious character which prepares men for the commission of the most shocking and atrocious crimes.—From habits of thinking we fall back upon the heaviest penalty our laws inflict as affording the greatest security against crime. But it is obvious to every one that it does not afford perfect security. If it did, we might well cling to it with a tenacious grasp, and fear to exchange it for one of doubtful efficacy. But such is not the fact. This barrier is often overleaped—and it is far from being certain that it gives even as great security as could be gained by some other provision. Those men who commit homicidal acts may be ranked under two descriptions. The first class is composed of men, generally of firm, athletic bodies, often of more than ordinary powers of mind, of a bold and daring spirit, and whose habits of life have wrought deep depravity of morals, and nearly or quite silenced the voice of conscience. From this class proceed those cold blooded, deliberate acts of murder, which strike the mind with such horror. These they perpetrate in full view of the penalty of the law, and upon a deliberate calculation of all the chances of avoiding it. The other class embraces men of less depravity, and of less uniform daring, but men of strong and violent passions and generally of many vices. These men, under the influence of sudden and violent excitement of passion, seize upon the first weapon that comes to hand, and commit those acts termed manslaughter. In these acts the perpetrator does not stop to think whether the penalty of the law be one thing or another, or whether there be any penalty at all. Now it is evident that the first class only, can be operated upon by penalty, and the question is what penalty is best suited to the moral condition of this class of people. In other words, what will most effectually deter them from the commission of crime. Is it death, or is it imprisonment for life? It is confidently believed it is the latter. Death it is said is the greatest of all penalties. True, but it does not hence follow, that it always appears so at a distance. The sun is the largest body in the universe—but a marble at a certain distance from the eye is of the same apparent magnitude. Because death when brought nigh and made certain is most terrifying, it does not argue that it is necessarily so at a distance. The corrupt state of morals among these men, wholly changes these natural relative proportions of power in the different penalties. Death, they know they must eventually meet in some shape or other, and they have hardened themselves against it. All beyond that is, in their view, an eternal sleep, or an uncertain existence, about which, conscience has long since ceased to trouble them.—Hence death at an uncertain distance, has but few terrors for them while roaming at large. It is no argument against this to say that they shrink from death when bro't to the gallows. The circumstances are then wholly changed—and the mind is changed with them. The bold and daring assassin possesses in an eminent degree the love of liberty. Not rational liberty, consistent with the rights and happiness of others; but an unconquerable, uncontrollable, and criminal love of natural, unrestrained liberty—liberty to act as he pleases—to go where he pleases, and to have what he pleases, let the consequence to others be what they may. This unbounded and criminal love of liberty exists only in minds deeply depraved. And if you would restrain that depravity from breaking out in open acts of wickedness, you must hold out those threatenings which carry with them the most terror to a depraved and vitiated mind, though they might be less powerful than some others upon a mind in a healthy state of morals. Perpetual imprisonment would, we think, strike a greater dread upon men of such character, than taking life. They have made up their minds in the first place not to be detected, but if they should be, they think they could meet death at the hand of the public executioner. But they have not made up their minds to endure imprisonment for life. It is totally inconsistent with their character and feelings.

Hence when viewed at a distance, the prison has more terrors than the gallows.

But the fear of death can be subdued by men of different character. The good and the bad can brace up their minds to such an event, especially when uncertain. The Martyr goes to the stake, and the Soldier rushes into the battle. Now would the paltry pittance of the Soldier's pay induce him to hazard the number of chances of imprisonment for life, that he does of death upon the battle ground? We think not. Hence we come to the conclusion, that perpetual imprisonment would be even more efficacious as a prevention of crime than the penalty of death.

A few individuals of elevated character, and enlightened views, have sometime since given us the result of their extensive enquiries and observations in relation to the effects and necessity of Capital Punishments. The first we would name, though not the first in chronological order, is Mr. Justice Blackstone, the distinguished Jurist who commented so fully upon English law. 'Though the end of punishment, (says he,) is to deter men from offending, it never can follow from thence, that it is lawful to deter them at any rate and by any means.' 'Every humane Legislator will, therefore, be extremely cautious of establishing laws that inflict the penalty of death.' 'He will expect a better reason for his doing so, than that loose one which is generally given, that it is found by former experience, that no lighter penalty will be effectual.' It is found upon further experience that capital punishments are more effectual? Was the vast territory of all the Russias worse regulated under the late Empress Elizabeth, than under her more sanguinary predecessors? Is it now, under Catharine 2d, less civilized, less social, less secure? And yet we are assured that neither of these illustrious Princesses have, throughout their whole administration, inflicted the penalty of death—and the latter has, upon the full persuasion of its being useless, nay even pernicious, given orders for abolishing it entirely throughout her extensive dominions.' Such is the testimony of an English Lawyer, a Judge of an English Court—a man who brings to the investigation of his subject, the powers of a strong and discriminating mind—a man of the deepest research, the most extensive and minute law knowledge—an acute observer of the springs of human action, and from his official situation must have been eminently qualified to judge of the effects of all the means employed by governments, not his own, but others, for the prevention of crime. And what testimony does he bear in the case? Why, after clearly intimating his own opinion that capital punishment is not necessary, he points to the experiment of another State, as affording ample proof of the correctness of his belief. This single authority—connected with the instance alluded to, we consider as a most triumphant refutation of the argument, that capital punishment, more than any other, deters from the commission of crime. But this opinion does not stand alone. The Marquis Beauraria, a Milanese General, is another authority to whom we would refer. His treatise on crimes and punishments had been published, and is referred to more than once by Justice Blackstone; and its powerful arguments no doubt had their influence upon the Judge's mind. So powerfully did they impress themselves on the mind of the Grand Duke of Tuscany, that he broke through all the fetters of his former prejudice and abolished capital punishments entirely. And what was the effect? If any where, we may look to these old Countries where the population is more dense and the distinctions of society greater, for a people that can be restrained by nothing but the fear of instant death. But not so in this case. Fewer murders perhaps occurred during the succeeding twenty years than was common—only five it is stated, for the whole term.

It was the doctrine of Beauraria, as it now is of many others, that 'crimes are more effectually prevented by the certainty that the severity of punishment'—'The certainty of a small punishment will make stronger impressions than the fear of one more severe, if attended with hopes of escaping.' If punishments be very severe, men are naturally led to the perpetration of other crimes to avoid the punishment to the first. To the opinion of these gentlemen might be added that of many more, both in Europe and America, together with many facts and arguments in support of them, but the limits of this report will not permit.

We will now state, in short, what we consider to



be some of the principal objections to capital punishment. And in the first place, its moral tendency is believed to be bad. If Government give the example of setting lightly by human life, individuals will follow it. It is well observed by the Marquis Beuaria, that cruel punishments have a hardening influence upon the mind. Severity in the laws excites bitter and revengeful feelings. It has been observed that those countries most remarkable for their cruel and sanguinary laws, are also remarkable for the frequency and atrocity of crime. Veneration and respect for the law can never be secured when the law is considered severe beyond necessity—on the contrary such a law will be viewed as an enemy, and feelings of a hostile character will rise against it. By the indulgence of these feelings the mind becomes soured and depraved, and prepared for the commission of crime.

In the next place, there is much weight in the consideration that men having committed crimes for which the penalty is death, often commit others to prevent detection.—Thus in countries where death is the penalty for robbery as well as for murder, we are told, the robbed is almost sure to be murdered. While in countries where a different penalty is provided for robbery, it is seldom accompanied with murder. The testimony of Pirates, taken and executed, is full to this point. Why are you so cruel as to murder the crews, we ask them, when you have robbed them of all they had? Because, if we are taken, you murder us, is the reply—and we do it to prevent detection. A rape and murder were once committed on a young female in Vassalboro'. Death was then the penalty in both cases. The man was apprehended, convicted and executed. On confessing the whole—he was asked why he murdered the girl? Then was disclosed the startling fact,—she begged of me, said he, to spare her life, I hesitated, but I knew I should certainly be hanged if she told of it, and she would tell of it if I did not kill her. Nerved by this consideration, he applied the savage gripe to her throat and ended her earthly existence.

Another objection is, that so long as capital punishments are inflicted at all, they must and will occasionally fall upon the innocent. In what proportion of the cases, it is impossible to say, but many have been ascertained. It is but recently, that two lives at least, in New England, have but just been saved by a timely discovery of the mistake. One in Vermont, where the murdered man arrived but the very day previous to the one appointed for the execution of his murderer. Another in Boston, where the man was tried and convicted, but was afterwards found innocent. These instances show that when suspicion becomes strongly excited, it is not all the guards and cautions which the law can throw around the prisoner that can always shield him from conviction though he be innocent. English history abounds in instances where rage and malice have been the chief instruments and the principal witnesses in procuring conviction and death. The term murder originally signified the secret killing of a person. A killing seen by no one and known to no one but the perpetrator of the act. It is now generally committed in a clandestine manner, and the perpetrator is hunted out and convicted by the force of circumstances. These can never amount to certainty, and hence there is always danger of convicting the innocent. But if death is the penalty, there is no rectifying the mistake, however clear may be the proof of innocence in after time. The deed is done, and the man is sent by a violent and ignominious death into the presence of his Maker. But who can estimate the injury to the wife and children—the parents, the brothers, and the sisters. Who would dare approach the forlorn and despairing wife, and attempt to sooth the deep anguish of her soul by a cold lecture on the possible utility of such a law in the prevention of crime? The children, the parents, the brothers, the sisters—language can only point to them, it has no power to describe their distress. What advantages are within the reach of imagination that could offset on such a case as this? And yet such cases there are, no doubt—and many that are very similar to it, are of record.

Another objection is the difficulty of conviction when indicted for a capital offence. The very fact that innocent persons have been sometimes convicted, has a startling effect upon the Jury and the witnesses, and they will scarcely believe what is perfectly apparent. Hence the cunning rogue calculates his chances of acquittal should he be appre-

hended and tried. He knows that the law is considered the relic of past and less enlightened ages—that it is but feebly supported by public opinion—that the moment a man is on trial for his life, the commiseration and sympathies of the people gather around him—that the utmost eloquence of the ablest counsel will be put forth in appeals to the best feelings of the heart—and he thinks that all these influences must raise a doubt in the minds of the Jury, upon which doubt he may escape unhurt. Most certainly he has examples enough to encourage him in such a belief.

Again, we object, that the execution of criminals whether it be public or private, sheds an unhappy influence upon the community. We have now no reference to such as witness the scene, but those who are at home, and whose sensibilities would not allow them to be present, were nothing else to prevent. In the vicinity of an execution, the effect is great—particularly on the feelings of women and children. The man to be executed is in their view continually—he is the subject of their thoughts by day, and their dreams by night. The aggregate of suffering in the community from this source, is far from being inconsiderable. But this is not all. The tendency of this pressure upon the sensibilities is to deprive them of their life and vigor, and thereby rob the heart of one of its best and most valuable attributes.

If the execution be public, as is commonly the case, further effects of a most demoralizing nature are the result. Those in Augusta at the time of Sager's execution, will call for no proof on this point. It has been argued that public executions are calculated to make deep and solemn impressions, which must long be remembered.—Doubtless such impressions are produced on the minds of many, but these are not of that class of people from which to expect crime. Those whom it would be desirable to affect solemnly, and from whom we have most reason to fear crime, make the day of public execution a day of drunkenness and profanity. These with their attendant vices, quarrelling and fighting, were carried to such an extent in Augusta, that it became necessary for the Police to interfere, and the Jail which had just been emptied of a murderer, threw open its doors to receive those who came to profit by the solemn scene of a public execution.

In conclusion, your Committee would remark, that the investigation of the subject, has resulted in a thorough conviction in their minds, of the truth of the following propositions:—

1st. Capital Punishments are not enjoined upon us in Scripture, so as to impose an obligation for their continuance.

2d. The Spirit of the Gospel most clearly forbids the infliction of any punishment having its foundation in a spirit of revenge.

3d. Government has no moral right to take life, unless it be very clear that the public safety imperiously demands it.

4th. The public safety in this State does not demand the taking of life in time of Peace, and hence we have no moral right to do it.

In accordance with these views, your committee recommend the total abolition of Capital Punishment, in all cases except Treason and misprision of Treason,—and the substitution of imprisonment in State's Prison for life, as per Bill accompanying this Report.

All of which is respectfully submitted.

J. R. ABBOT, *Per Order.*

### State of Maine.

*In the year of our Lord one thousand, eight hundred and thirty-five.*

AN Additional Act, providing for the punishment of certain crimes and for the prevention thereof.

**SECTION 1.** Be it enacted by the Senate and House of Representatives, in Legislature assembled, That the laws of the State providing for the Capital Punishment of certain descriptions of offenders, be and hereby are so altered as to substitute in lieu of said punishment by death, confinement to hard labor for life in the State Prison.

**SECTION 2.** Be it further enacted, That when any person shall hereafter be convicted of any crime punishable with imprisonment for life, all contracts of whatever nature to which the person so convicted shall be a party, shall be affected, changed or annulled, in the same manner as they several-

ly would have been by the death of the person so convicted. The bonds of matrimony between the husband or wife, as the case may be, and the person so convicted, shall be dissolved; the person so convicted shall cease to have any title to, or interest in his own estate real or personal and the same shall be treated, be disposed of, and descend, in all respects as if his actual death had taken place on the day when he was convicted as aforesaid; and all power and authority of whatever nature, which he might lawfully have or exercise over any other person or persons, shall, from and after his conviction as aforesaid, cease and determine as if he were dead.

**SECTION 3.** Be it further enacted, That all acts, and parts of acts, inconsistent with the provisions of this Act, be and the same are hereby repealed.

*House of Representatives, March 16, 1835.*

This Bill having had three several readings in this house, and having been amended, was referred to the next Legislature, and ordered with the report to be published in all the newspapers that publish the laws of the State.

Sent up for concurrence.

*JONAS CILLEY, Speaker.*

*In Senate, March 17, 1835.*

Read once, and concurred.

*JOSIAH PIERCE, President.*

### Summary.

#### FOREIGN.

**LATEST FROM EUROPE.**—London papers to October 7. have been received.

The King and Queen of Belgium, after visiting their relatives in England, the King at Windsor, the Duke of Wellington, and the estate of Leopold at Claremont returned to Brussels.

Measures are in progress for establishing a telegraphic communication between London and Paris. By which tidings will be conveyed in an hour and a half.

Capt. Back has been speedily promoted to the rank of Post Captain, in consideration of his extraordinary services.

**London, Oct. 7.**—The extinction of the monopoly of the East India Company, and the great increase in the exports of Cotton and Woollen manufactures to India, China, the Pacific, and the United States, is rapidly attaching capital from private sources to supply the place of that establishment.

A mercantile association upon a very extensive scale has been formed for this purpose in the city. One gentleman, a member of this firm, has, it is stated, proceeded to the United States to arrange a system of banking and mercantile operations and to form connecting links with the Pacific, Calcutta and Canton.

**London Oct. 7.**—Dispatches dated the 28th ult. in the highest degree satisfactory to the friends of Spain and of the Government of Her Catholic Majesty, were received from Madrid on Monday afternoon, at the Hotel of the Spanish Embassy in Paris.

The Junta of Barcelona has announced its readiness to dissolve itself as soon as the Queen's Government shall have appointed some one in the absence of the Captain General to assume the command of the armed forces of the principality. With regard to the troops under the command of Las Navas, no further apprehension was entertained respecting them. In addition to these interesting facts, it is announced in Mundizabal's despatches, that the Cortes have been convoked for the 16th of November, in the ordinary course.

The private letters received this morning from Lisbon give satisfactory accounts of the commercial and financial affairs of that country. The government had recovered from the late pressure for money, and instead of desiring any further supplies from this country, they were beginning to transmit large sums to England.

Extract of a letter of the 27th ult. from Frankfurt:—

"According to accounts from Berlin there is much agitation in that capital not only among the lower classes, but among the class of citizens seldom liable to question the acts of Government. All coffee houses and places of public resort resounded with animated discussions, the principal topics of which are a desire for a Constitution. The Emperor of Russia wished to leave 10,000 of his Guards in Poland, but the Emperor of Austria



and the King of Prussia opposed it, on the ground of existing treaties. The reviews of Kalisch have finished. For several days the two sovereigns were employed in inspecting the troops, and there were some evolutions and military sports and pastimes, but the grand review did not last many hours.

Paris, Oct. 2.—The Gazette de France has the following:—"Letters from Madrid, dated evening of the 24th ult. announced that M. Mendizabel has at length completed his Cabinet.

A new and very energetic manifesto was published by the Junta of Arragon on the 16th.

Providence and Stonington Rail Road.—This road leading from the city of Providence to Stonington, is 48 miles in length and passes thro' the towns of Cranston, Warwick, East Greenwich, North Kingstown, Exeter, South Kingstown Charlestown, Westerly, in Rhode Island, and Stonington, in Connecticut. Forty three miles of the route is in Rhode Island, and five in Connecticut. The whole line is under contract; nine miles of which the grading is completed; eight miles the grading is nearly finished, requiring only to be dressed off; and eleven miles the grading is about one third finished. By the first day of October next, it is expected the whole line of the road will be finished for travel.—An Engineer will sail for England in November, to purchase rails and locomotives for the road, which he is directed to contract to have delivered in this country on or before the first of June next. There are employed on the road 700 workmen and 250 horses, and in a few days there will be an additional number of 400 workmen and 100 horses. The line of the road is quite level, and the making has been contracted for at less than the estimates. When completed it will be one of the finest and most substantial roads in the country.—*Providence Journal*.

#### Rail Road from Cincinnati, Ohio, to Charleston, South Carolina!

A large and spirited meeting of the citizens of Charleston, was held Oct. 22d, the intendent Mr. North, in the chair, on the subject of the proposed rail road from Cincinnati (Ohio) to Charleston. Gen. R. Y. Hayne, opened the meeting with an effective speech, and proposed the adoption of the following resolution:—

Resolved, That the citizens of Charleston have seen with deep interest, the proceedings of the citizens of Cincinnati in reference to "the extension of a rail road from the Ohio river, into the State of South Carolina," and being fully impressed with the great importance and immense value of such a work, we are disposed cordially to co-operate in all proper measures for its accomplishment.

A committee of fifteen, consisting of the most respectable and wealthy citizens was then appointed to report upon the subject at length at a meeting to be held Nov. 5.

The Strangury.—This afflictive, and at some stages of life very common disease, in a great majority of cases, is cured by the use of Gum Arabic. Two ounces dissolved in boiling water, and taken in several successive draughts, are abundantly sufficient to cure this formidable complaint—it may be sweetened without lessening the effect. It is believed that even when this disease is connected with the stone, it would be much relieved by this prescription;—at least, it will be harmless in all cases.

The Alexandria Gazette says:—It is currently reported that the secretary of the Navy has, within a few days past made no concealment of his opinion that the present difficulties with France will eventuate in a serious collision between the United States and that country.

The whole length of the Nashville and New Orleans rail road will be five hundred and sixty-five miles and three quarters. The estimated cost of the work is \$10,063,946. Notwithstanding the magnitude of the undertaking, arrangements have been made for its speedy accomplishment.

Extraordinary Amputation.—A French surgeon, M. Gerdy, has recently amputated a man's lower jaw, from under the ears, in order to stop the progress of a gangrene which threatened death from suppuration. He states that the patient presents scarcely any visible deformity, has all the embon-

point of health, expectorates freely, and speaks very distinctly.—*Georgetown Metropolitan*.

St. Louis, Missouri, Oct. 8.—A severe shock of an earthquake was felt in this city about 6 o'clock yesterday morning—the only one for the last ten years.

#### Marriages.

In this town, on the 5th inst. by the Rev. David Thurston, Mr. ZACHARIAH GIBSON, 2d, of Brownfield, to Miss MARY F. MORTON, of this town. We acknowledge the receipt of a piece of the bridal loaf by way of remembrance of the poor printer—Good luck to them.

In Livermore, 5th inst. by Maj. Isaac Strickland, Mr. Silvin Shirliff to Miss Lois Timberlake.

In Turner, Mr. Everet Jones to Miss Sally G. Whitman.

#### Deaths.

In New Orleans, Benjamin Eames, son of the Rev. Benjamin Eames, of St. George, in the 20th year of his age.

In Eastport, Mrs. Emma L. Hathorne, aged 19.

In Cambridge, Daniel Davis, Esq. formerly Solicitor General of the Commonwealth of Massachusetts, aged 73.

In Pinckneyville, Mr. Artemas Boutelle, of Waterville, aged 21.

#### BRIGHTON MARKET.—MONDAY NOV. 2, 1835.

Reported for the Boston Patriot.

At Market, 2050 Beef Cattle, 1100 Stores, 3840 Sheep and 1860 Swine. Several lots of Stores were at market last week.

PRICES.—Beef Cattle—Nearly all of the better qualities of Market Cattle were purchased before they arrived at market, at an advance from last week. We notice a very fine lot taken at 34s 6d. Prime at 30s, a 32s; good at 27s a 30s. Small Cattle at 18s a 21s.

Barrelling Cattle—Mess 24s; No 1, 20s; No 2, 16s 6d.

Stores—Yearlings at \$4 50 a 5; two year old \$7, 50 a 13; three year old \$13 a 21.

Sheep—Ordinary 9s a 10s; middling 10s 6d, 11s 3d, and 12; better qualities 12s 9d, 13s 6d, and 15s; Weathers 16s 6d, 18s, and 19s 6d; a few Cosset Weathers at \$6 each.

Swine—Market quite spirited, nearly all sold and former prices fully supported. Several lots old Barrows and large Shoats were taken at 6, Sows at 5, lots to peddle at 5 for sows and 6 for Barrows. Small lots of selected Barrows at 6 1-2; at Retail 5 1-2 for sows, and 6 1-2 a 7 for Bar rows.

#### New Stock of Goods at the Old Stand,

(NO. 6, MAIN STREET, OPPOSITE THE FACTORY.)

The subscriber has received his Winter Stock of Goods, and now offers them for sale, and many of them on terms a little lower than ever. For instance, he will mention CALLICOES, 6-4 and 4-4 Merinos. Also a large stock of BROADCLOTHS of a variety of qualities and colors—Petersham and Lyon Skins.

And he respectfully invites all who are wishing to buy to call and give him a look.

SAM'L CHANDLER.

Winthrop, Nov. 10, 1835.

#### Stoves and Fire Frames.

THE subscriber has just received his fall stock comprising a great variety of COOKING—FRANKLIN—SIX PLATE & BOX STOVES.

ALSO—80 Fire Frames of different sizes and Patterns, from 2 ft 3 inches to 3 ft 9 inches high.

ALSO—Brass Ball and Rosetts for fire frames. For sale by

W. B. PRESCOTT.

Hallowell, Oct. 5, 1835.

#### Wanted,

10,000 White Mulberry Trees, for which a fair price will be paid. Enquire at this office or of the subscribers at Hallowell Cross Roads.

A. & J. POPE.

November 10, 1835.

#### Merino & Saxony Bucks for sale.

I propose to offer for sale on Saturday next, at one of the clock P. M. at the house of Daniel Carr in Winthrop, a number of valuable Bucks.

ELIJAH WOOD.

9th November, 1835.

#### Improved Swine.

FOR SALE, a litter of eight Pigs of the Bedford and Mackey breeds, which were farrowed on the second inst. They will be sold at a low price.

Also, for sale on moderate terms, a fine young Boar of the Bedford and Mackey breeds.

There will be kept for the improvement of the breed of swine, an excellent Boar of the pure Bedford breed, which carried the first premium at the late Cattle Show at Winthrop, and which was bred by Dr. A. Baylies of Taunton, Mass., and is from the stock kept and recommended by Oliver Fiske, Esq. of Worcester Mass.—He is considered by competent judges to be as near perfection in shape and other properties, as any animal of his species to be had in the country.—Enquire of

J. W. HAINES,

or

SANFORD HOWARD,

Hallowell.

#### Freedom.

TO all whom it may concern. I hereby relinquish to my son, JOSEPH WARREN SYLVESTER his time to trade and transact business for himself independent of me, as if he were twenty one years of age. I will not request any of his earnings, nor pay any of his debts after this date.

HOWARD SYLVESTER.

Witness: WM. NOYES.

Leeds, Nov. 6, 1835.

#### Important to Pig Breeders.

THE subscriber will keep for the use of all who desire, during the ensuing season a prime Boar. He is half blood Bedford and half blood native—young, active, and healthy.—Call and see him.

J. GLIDDEN.

#### South Down Sheep.

THIS breed of Sheep was limited for many years to the Downs in Suffolk on the South Shore of England, and from this circumstance are so named.

The value of this breed induced the Farmers of other Counties to cultivate it, but more particularly the Farmers of Norfolk County.

Those that were imported by the Subscriber were from both Districts—The two Bucks and three Ewes from the County of Norfolk, and two from Lewes in the neighborhood of the Downs.

If we judge of the improvement of the breeds when removed by increase of weight in carcase and wool,—wethers of the original breed on the dry chalky Downs have weighed 72 lbs. the four quarters. Those of Norfolk 80 to 120 lbs. The wool in Suffolk 2 1-2 lbs. to the fleece, in Norfolk 4 1-2 lbs. This breed thrives well in short and less fertile pastures.

Where the Ewes are full kept, they frequently produce twin lambs, nearly in the proportion of one third of the whole, which are, when dropped, well woolled.

The wethers were capable of being disposed of at an early age, being seldom kept longer than two years old, and are often fed at 18 months.

This breed of Sheep outweighs the Dorset and Norfolk breeds, in proportion to the size of the carcase, being heavy in a small compass, and this from the compactness of its form. They are capable of travelling well, and of resisting the effects of exposure to cold. They are found to consume less food in proportion to weight, than the Norfolk, yet keeping in better order.

The Subscriber proposes to keep one of the South Down Bucks on his Farm in Hallowell this season, for the use of Ewes that may be brought to it; they will not exceed in number forty. The charge will be four Dollars for each Ewe.

A few Bucks of the mixed breed for sale.

CHARLES VAUGHAN.

Hallowell, 13th October, 1835.

#### Moses Adams,

Deputy Sheriff and Coroner,—Greene, Kennebec County, Maine.



## Poetry.

## Nature.

Nature, I love thee! thou art bright,  
Enrobed in heaven's purest light,  
Thy face is smiling, gorgeous, sweet,  
And grace and beauty deck thy feet.

Nature, I love thee! Love to view  
Thy ocean vast; thy sky of blue,  
Thy forests green in grandeur wave,  
Thy streams the flowery meadows leave.

Nature, I love thee! Love to hear  
Thy voice; 'tis music in my ear,  
Through meadow lawn, and rock, and dell,  
All harmony delightful still.

Nature, I love thee! thou art pure,  
No works of art like thine allure,  
Though great and small thou still art fair,  
No dross or imperfection there.

Nature, I love thee! thou dost show  
What thy great Architect can do,  
His power, his wisdom, and design,  
Are clearly marked in every line.

Winthrop.

W. H. L.

## Miscellany.

From the Boston Pearl.

## The Power of Adversity.

Before the hand of republican power had leveled all distinction in France, and sunk the proudest families to the humiliating condition of the meanest peasant, in the gay neighborhood of Versailles the Marquis d'Embleville owned a sumptuous hotel, where he lived in epicurean luxury and princely splendor. His mind possessed all the imperious vanity of the ancient regime; and placed by fortune at an awful distance, he looked down upon the *canaille* as unworthy to hold with him in a rank in the same scale of being. His only son, Lewis, in the prime of youth, had made the tour of Switzerland: he had visited every part of those wondrous regions, where nature reigns in all her grandeur, and displays to the enthusiastic mind that sublime and majestic scenery, which attracts and gratifies the most unbounded curiosity. So remote from the haunts of courtly pleasure—so distant from the giddy circle of high life—he felt the impression of that tender passion beneath whose controlling power mortals of all degrees are indiscriminately doomed to bow.

The object of his admiration was a lovely Swiss, fresh from the hand of nature, in all the bloom of youth and beauty, like the mother of mankind in the state of primeval innocence; honesty was the only wealth her friends possessed:—her charms and virtue were her only portion. With this lovely maid, Lewis had sought and cultivated an acquaintance. He weighed her mental graces against the frippery of Parisian belles, and with pleasure saw them greatly preponderate. She felt the congenial passion, but from disparity of circumstances, suppressed the kindling hope. The shaft was fixed too deep in his bosom to be eradicated without lacerating his vitals. Although despairing of success, he returned to his father, and on his knee besought him to confirm his happiness by an assent to this unequal union.

Degrading information! Should the honorary tide of princely blood, long flowing down the channel of an illustrious ancestry, be contaminated by mingling with plebeian streams? No! He spurned him from his feet, and, with a niggard hand, reluctantly conferring a scanty annuity, bade him retire again to ignominious exile, and see his face no more. He was too well acquainted with the inflexibility of his father's temper, when once arrived at a certain point; he knew that the moment of expostulation was forever past. He was forbidden to return to seek a pardon, even by the narrow path of duty: he therefore felt himself not unhappy, that, without a direct breach of parental obligation, he could, by the trivial sacrifice of his for-

tune, obtain the object of his desires. He bade adieu to the scenes of departed affluence, and flew to repose himself on the faithful bosom of domestic affection. The inhabitants of the happy valley celebrated their nuptials with the usual ceremonies, and Lewis soon forgot that he was born to higher expectations.

The storm which had long been gathering over devoted France, at length descended, involving in one general ruin all the pride of prerogative, title, and family. The sanguinary streams that flowed from the throne, swollen by a thousand rills, had deluged the nation, and the horrid engine of death—the guillotine—still frowned tremendously over its innumerable victims. Not with less terror than the trembling traveller, when he sees the accumulating *avalanche* thundering from Alpine precipices, in its progress tearing up towering pines and crushing into atoms the obstructing cottages, the Marquis d'Embleville beheld the approaching desolation. His lady died of a broken heart, to observe the splendor of her family eclipsed; and rescuing a comparative trifle from the wreck of affluence, he hastily left his proscribed country in disguise, and fled toward the regions of ancient Helvetic liberty, where, after long and weary wandering among those eternal mountains, which form the barrier of nations—whose heads, crowned with snows old as the creation, view the turgid clouds rolling round their base amid the wildest scenes of nature, he experienced the bitter pangs of reflection, without a beam of distant hope to cheer him in his exile. In order to divert the cares that wrung his bosom, he had visited the stupendous cataract of the Rhine he had marked the wanderings of the Emmenthal and the Reuss, and arrived at length at a charmingly romantic valley in the neighborhood of Lugano. The evening sun shot his yellow rays over orange and citron groves, which clothed the sides of the far-stretched mountains, when he reached a neat little cottage, seated on a gentle declivity, which terminated in the tranquil waters of an extensive lake, over which the gentle zephyrs wafted the softened notes of rustic joy—the villagers were returning from the labors of the day; and here and there appeared in distant groups winding down the avenue of vine-clad hills. At the cottage door he was met by two buxom little girls, on whose cheeks bloomed the roses of health, and their dress was such as served not to decorate, but display the fine symmetry of their figures. They made a low and graceful courtesy, and then ran in to announce the approach of a stranger.

The charming mother came out and modestly welcomed him to her cottage, where she set before him the best her simple larder afforded, together with the choicest fruits the children could procure. He took the infants on his knee, and encouraged their artless prattle by familiar questions and endearments; and from them he learnt that papa was gone to take a long walk on the mountains, on which account they were unable to accompany him as usual; their pleasures, their pastimes, and their mode of education; and the Marquis discovered in this little group more natural ability and good sense, than he had frequently found in the most polished circles. The mother was an intelligent, liberal-minded woman, and delivered her sentiments with the most agreeable and unaffected simplicity—her whole deportment and conduct evinced the most secret attachment to the maternal and conjugal duties, and she spoke with enthusiasm of the enjoyments of retirement and domestic life. The mind of the Marquis was much affected, and it was with apparent difficulty he could conceal the various emotions which struggled in his bosom.

The little mountaineers, who had been on the 'tip-toe of expectation' for the arrival of their father, now recognised his footsteps as he approached the door; and running out to welcome him, hung around his knees, and danced with excess of rapture, while he distributed between them some flowers and other natural curiosities indigenous to the soil, which he had picked up in his way. A sudden pleasure seemed to irradiate the lovely countenance of the mother, as she introduced her consort to her guest. Had a clap of thunder that moment torn from the summit of the neighboring mountain the eternal rock, which then cast a length of shade across the lake, and hurled into the vale below, a greater degree of astonishment could not have been depicted on the faces of both at this unexpected rencontre.

A momentary silence prevailed; conscious remorse touched the heart of the Marquis at the appearance of a son whom he had so deeply injured, while Lewis stood awed beneath the heretofore authoritative eye of a disobliged parent. The roses fled the cheek of the amiable Maria, while the husband on his knees implored the forgiveness of that father of whose displeasure she had formerly heard with so much emotion, and who, she now fully expected, was come to destroy her happiness forever. He perceived their agitation; adversity had softened his heart, and all the father returned; for a while he could not speak, but took their hands and joined them together, and lifted his eyes to heaven as if imploring blessings on them both. He then snatched the wondering infants to his bosom, and shed over them involuntary tears.

The first tumult this interview had occasioned subsiding, a calmer but more solemn scene ensued. The death of Lady Embleville, and the family misfortunes, engaged their attention; and while they listened to the 'tale of woe,' they mutually paid the tribute due to human calamity. The Marquis having now experienced the vicissitudes and fallacy of fortune, acknowledged the superior prudence of his son in making so judicious a choice, and blessed the power that so mysteriously disposed him to provide this calm retreat and those domestic comforts, midst which he resolved to spend the evening of his days.

## Turner's Compound lever Pump.

The subscriber having taken out letters Patent for a new invented apparatus for raising water, and other similar purposes, will be happy to answer any orders for pumps, or rights for using the same. His improvement may be attached to a single pump, but is much better for a double one, as two streams of water may be thrown with equal ease, and in about the same time as one. It is admirably adapted for pumps in vessels, as they can be worked by one or a dozen hands as occasion may require, and twice the quantity of water thrown as there is in the usual way.

It is cheap, simple and durable, and is confidently recommended to the public. Please call, examine, and satisfy yourself. JOSEPH TURNER.

East Poland, October 27th, 1835.

To the Honorable H. W. Fuller, Judge of the Court of Probate within and for the County of Kennebec.

THE Petition and Representation of ISAAC BOOTHBY, Administrator with the will annexed, of the Estate of ISAAC BOOTHBY, late of Leeds, in the County of Kennebec, deceased, testate, respectfully shews, that the personal Estate of said deceased, which has come into the hands and possession of the said Administrator is not sufficient to pay the just debts and demands against said Estate by the sum of five hundred dollars:

That the said Administrator therefore makes application to this Court, and prays your Honor that he may be authorised and empowered, agreeably to law, to sell and pass deeds to convey so much of the real estate of said deceased as will be necessary to satisfy the demands now against said estate, including the reversion of the widow's dower if necessary, with incidental charges. All which is respectfully submitted.

ISAAC BOOTHBY.

COUNTY OF KENNEBEC, ss.—At a Court of Probate, held in Augusta on the last Monday of October 1835.

On the Petition aforesaid, Ordered, That notice be given by publishing a copy of said petition, with this order thereon, three weeks successively, in the Maine Farmer a newspaper printed in Winthrop that all persons interested may attend on the last Monday of November next, at the Court of Probate then to be holden in Augusta, and shew cause, if any, why the prayer of said petition should not be granted. Such notice to be given before said Court.

H. W. FULLER, Judge.

Attest: GEO. ROBINSON, Register.

A true copy of the petition and order thereon.

Attest: GEO. ROBINSON, Register.

## Lime.

W. T. LAMBARD has just received and keeps constantly for sale, the best kind of THOMAS TON LIME.

Augusta, Sept. 18th, 1835.